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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

NATIONAL TPS ALLIANCE, DENIS
MOLINA, JHONY SILVA, MARIA ELENA
HERNANDEZ, O.C., SANDHYA LAMA,
S.K., TEOFILO MARTINEZ,

Plaintiffs,

vs.

KRISTI NOEM, in her official capacity as
Secretary of Homeland Security, UNITED
STATES DEPARTMENT OF HOMELAND
SECURITY, and UNITED STATES OF
AMERICA,

Defendants.

Case No. 3:25-cv-05687-TLT

**DECLARATION OF S.P. IN SUPPORT OF
PLAINTIFFS' MOTION FOR PARTIAL
SUMMARY JUDGMENT**

Assigned to: Hon. Trina L Thompson

Date: November 18, 2025

Time: 2:00 p.m.

Place: Courtroom 9

Complaint Filed: July 7, 2025

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DECLARATION OF S.P.

I, S.P., declare:

1. I am from Nepal, and have lived in the United States for more than a decade. My husband and I had TPS between 2015 and August 2025, when TPS for Nepal was terminated. We have a U.S. citizen daughter, who is one year old who was born with a serious birth defect requiring ongoing medical treatment, surgeries, and specialized care. I am providing this declaration to describe the importance of TPS for me, and the extraordinary hardship we have faced due to our loss of income and health insurance.

Temporary Protected Status

2. I came to the United States in July 2014 as a student. I was 19 years old at the time and traveled on a student visa.

3. I have studied in the United States and obtained a bachelor's degree in computer science and a master's degree in information technology.

4. During my studies, Nepal was designated for TPS due to an earthquake. My family's house was severely damaged in the earthquake. They had to rebuild the house. My father's poultry farm was also impacted as most of the chickens died in the earthquake. I was grateful to have the protection of TPS because I could not safely return to Nepal due to the devastation of the earthquake for my family and community.

5. I have worked in the IT industry since 2016. Most recently, I worked as a senior systems engineer for a pharmaceutical company. It was a good job and I am proud of the career I have built.

6. My husband is also from Nepal and he has lived in the United States since 2006. We met here in the United States. My husband is a hairdresser and owns his own salon. He holds the lease on the salon, and two other professionals rent chairs at his salon. Prior to the termination of TPS for Nepal, his business was doing well. He is a people-person, and he loved getting to know his clients, most of whom are American.

7. With our shared incomes, we were fortunate to buy a house in 2020.

8. In August 2024, I gave birth to our first child, a little girl. She was born several weeks

1 early, and unfortunately, hours after her birth we received a devastating diagnosis – esophageal
2 artresia. This means that her esophagus and her stomach formed separately and were not connected.
3 If not treated, her condition is fatal. My infant daughter was rushed to emergency surgery within
4 hours of her birth. That experience was incredibly stressful and traumatic. I have often reflected that,
5 if our daughter had been born in Nepal, she would likely not have survived. In that sense, TPS truly
6 saved her life.

7 9. Our daughter spent the first six weeks of her life in the hospital. Thankfully, my
8 employer-sponsored health insurance covered most of the bills for her care and treatment, which
9 totaled over \$400,000 by the time she was discharged from the hospital.

10 10. Unable to nurse or take a bottle, our daughter got all of her nutrition through a g-tube
11 for the first year of her life. As new parents, on top of learning how to change a diaper, we also had
12 to learn how to prepare special formula to feed her, clean the g-tube port, and change the bandages.
13 She attended medical appointments every few weeks. Thankfully, she is currently a healthy and
14 happy baby, but she still needs ongoing treatment and additional surgeries.

15 **Termination of TPS**

16 11. On August 20, 2025, our daughter turned one year old. It was an important milestone
17 after all of the challenges we faced as a family over her first year. However, the joy we felt was
18 quickly extinguished when, three days later, I lost my job due to the termination of TPS.

19 12. Overnight, my family lost all of our income. Neither my husband nor I can work
20 because we have no work authorization. My husband closed his business. My job suspended me
21 without pay and told me I would be terminated after four weeks if I could not provide another form
22 of work authorization. I still have no other form of work authorization. As a result, I am about to lose
23 my job entirely. We have been relying on our savings, but those are quickly running out.

24 13. Even more distressing than our sudden loss of all income was the loss of health
25 insurance for our whole family, including our baby daughter. We are already being forced to make
26 impossible decisions about whether to forgo healthcare that she needs because we cannot afford to
27 pay for it out of pocket. My daughter is now going without the care that she needs. She was
28 scheduled to have an endoscopy in September to inspect the site of the surgery, but we had to

1 postpone that procedure because we no longer have health insurance. In November, she is supposed
2 to have surgery to remove the g-tube now that she is eating solid food. I don't know if we will have
3 health insurance to cover that surgery. I cannot describe how stressful it is to know that my daughter
4 needs medical care and not to be able to provide it. I feel helpless and heartsick when I think about
5 it.

6 14. For the last few years, my husband and I have both been pursuing all options that are
7 available to us to seek permanent immigration status, but all of those applications remain pending.
8 My husband applied in 2023 for a green card based on his work, but it has been pending at the first
9 stage of processing for more than two years. Before TPS was terminated, my company was
10 preparing to file a green card application on my behalf, but once I lost status, I became ineligible. I
11 also applied for a U-visa in 2023, because I was the victim of a crime and I understand that my
12 cooperation with law enforcement in the investigation of the crime should entitle me to legal status.
13 However, my U-visa application has also been pending for two years. Based on the initial
14 information I provided to USCIS, USCIS provided me with a bona fide determination, on which
15 basis I can apply for an employment authorization document (EAD), but even that has been pending
16 for several months and is still not approved.

17 15. I don't know what is next for my family. After TPS was terminated, I didn't sleep for
18 about a week. I have lost a lot of weight. I am feeling depressed and anxious all the time.

19 16. We cannot go back to Nepal. The political situation there has recently become very
20 violent. There are no jobs; we wouldn't be able to support ourselves. Most of all, my daughter
21 cannot live in Nepal because the care she needs is not available there. I actually consulted with
22 doctors in Nepal last summer, because I was hoping to visit my family on advance parole before TPS
23 was terminated, but they told me that the hospitals there could not accommodate her needs. We
24 decided not to travel because I was worried that my daughter would not be safe there even for a short
25 trip. It was devastating to make the choice to not introduce my family to our daughter, but I could
26 not risk her life and health like that. I can't imagine now having to move there with my daughter
27 when I didn't even feel that the medical care there was sufficient for her for a short visit given her
28 serious health issues.

